

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MOORE WALLACE NORTH AMERICA, INC.,)	
)	
Plaintiff,)	
)	
)	Case No. 08 CV 855
v.)	
)	Judge Manning
PFE INTERNATIONAL LIMITED and)	
PFE INTERNATIONAL INC.)	
)	
Defendants.)	
)	

MOTION TO DISMISS PURSUANT TO FED.R.CIV.P. RULE 41(a)

Plaintiff Moore Wallace North America, Inc. (“Moore Wallace”), by and through its attorneys, moves to dismiss this action against Defendants PFE International Limited and PFE International, Inc. (“the PFE Parties”). The PFE Parties have not filed appearances in this case. However, the parties have entered into a settlement agreement regarding the allegations contained in the Complaint. Based on the terms and conditions of the said settlement agreement, the dismissal of the PFE Parties shall be with prejudice **with respect to any conduct by the PFE Parties prior to June 9, 2008 and without prejudice with respect to any conduct by the PFE Parties thereafter. The dismissal with prejudice of the prior conduct is conditioned on certain representations and warranties made by the PFE Parties in the settlement agreement, including** that as of March 20, 2008, the PFE Parties have no longer offered for sale a pressure sealer product known as the “AS1200” or “PS1200” in North America.

Attached is a proposed Order of Dismissal for the Court’s consideration.

Respectfully submitted,

MOORE WALLACE NORTH
AMERICA, INC.

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